



W.P.No.23080 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 09.01.2024

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.23080 of 2021

and

WMP.No.24296 of 2021

1. LABOUR LIBERATION FRONT (L.L.F).,
The Trade Union wing of Viduthalai Chiruthaikal Katchi,
Regd. No.421/ 2010/ TVR,
Rep. by its Branch Secretary,
K.Ashok Kumar,
No.114, Iyyothithasar Street,
Nungambakkam Village,
Thiruvallur District.

2. S.Brammanayagam

3. K.Paneer Selvam

4. S.Magesh

5. M.Babu

6. N.Raman

7. N.Selvaraj

...Petitioners

Vs



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1. The State of Tamil Nadu
Rep. by its secretary,
Labour Welfare and Skill Development Employment,
Fort St George,
Chennai- 600 009.

2. The Deputy Commissioner of Labour (Conciliation II),
III Floor, Kuralagam,
Chennai- 600 108.

3. M/S.Mercury Precision Products (P) Ltd.,
Rep. by its Director,
V.S.Ananda Sagar,
No.126/1 and 2, Mappedu B Block,
Hussian Nagaram,
Ulundhai Post, Mappedu,
Tiruvallur District- 602 105.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent herein to refer the Industrial dispute made in Aa. No. 74 of 2021 dated 15.02.2021 on the file of the Deputy Commissioner of Labour (Conciliation II), Kuralagam, Chennai - 108, the 2nd respondent herein to the appropriate Industrial Tribunal as per Section 10 of the Industrial Dispute Act, 1947.

For Petitioners : Mr.A.R.Suresh

For Respondents : Mrs.Raja Rajeswari
Government Advocate
For RR1 & 2



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Mr.A.Rajendiran

For R3

ORDER

Writ petition is filed for a Writ of Mandamus directing the 1st respondent to refer the industrial dispute made in Aa.No.74 of 2021 dated 15.02.2021 on the file of the Deputy Commissioner of Labour, the 2nd respondent herein to the appropriate Industrial Tribunal as per Section 10 of the Industrial Disputes Act, 1947.

2. Relying on the averments made in the counter affidavit the learned Government Advocate for the 1st respondent states that the State Government has already issued G.O. (D).No.550, Labour Welfare and Skill Development Department dated 18.10.2023, referring 5 demands to the Labour Court at Chennai. She further states that the Government has further passed G.O.(D). No.551, Labour Welfare and Skill Development Department dated 18.10.2023 declining reference of 2 demands for the



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reasons stated in the G.O. The learned Government Advocate therefore states that as the relief sought for in the writ petition is complied with the same has become infructuous.

3. The learned counsel for the petitioner has not disputed the passing of the aforesaid G.O's, the learned counsel prays that liberty may be granted to challenge the G.O declining reference.

4. In view of the submissions of the learned counsels, the writ petition is disposed giving liberty to the petitioner to workout its remedies in the manner known to law.

There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

09.01.2024

Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

dsn

To

1. The Secretary,

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The State of Tamil Nadu ,
Labour Welfare and Skill Development Employment,
Fort St George,
Chennai- 600 009.

2. The Deputy Commissioner of Labour (Conciliation II),
III Floor, Kuralagam,
Chennai- 600 108.

3. The Branch Secretary,
The Labour Liberation Front (L.L.F).,
The Trade Union wing of Viduthalai Chiruthaikal Katchi,
Regd. No.421/ 2010/ TVR,
No.114, Iyyothithasar Street,
Nungambakkam Village,
Thiruvallur District.

4. The Director,
M/S.Mercury Precision Products (P) Ltd.,
No.126/1 and 2, Mappedu B Block,
Hussian Nagaram,
Ulundhai Post, Mappedu,
Tiruvallur District- 602 105.

N.MALA,J.

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